

An Act

SENATE BILL 19-111

BY SENATOR(S) Moreno, Zenzinger, Rankin, Crowder, Gonzales;
also REPRESENTATIVE(S) Esgar, Hansen, Ransom, Benavidez, Coleman,
Galindo, Jaquez Lewis, Kipp, Lontine, Mullica, Snyder, Tipper, Titone,
Wilson.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

**SECTION 1. Appropriation to the department of corrections for
the fiscal year beginning July 1, 2018.** In Session Laws of Colorado
2018, section 2 of chapter 424, (HB 18-1322), **amend** Part II as follows:

Section 2. Appropriation.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART II							
DEPARTMENT OF CORRECTIONS							
(1) MANAGEMENT							
(A) Executive Director's Office Subprogram							
Personal Services	3,500,244		3,256,439 (22.8 FTE)			243,805 ^a (4.0 FTE)	
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000		75,000 (1.2 FTE)				
Health, Life, and Dental	55,775,527		54,092,443		1,683,084 ^b		
Short-term Disability	557,869		541,742		16,127 ^b		
S.B. 04-257 Amortization Equalization Disbursement	16,792,133		16,314,855		477,278 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	16,792,133		16,314,855		477,278 ^b		
Salary Survey	10,825,001		10,516,363		308,638 ^b		
Shift Differential	8,070,903		8,015,331		55,572 ^b		
Workers' Compensation	7,416,989		7,182,613		234,376 ^b		
Operating Expenses	357,759		267,759			5,000 ^a	85,000(I) ^c
Legal Services	2,030,978 ^d		1,962,690		68,288 ^b		
Payment to Risk Management and Property Funds	5,177,747		4,973,743		204,004 ^b		
Leased Space	4,993,564		4,713,907		279,657 ^b		
Capitol Complex Leased Space	56,421		40,305		16,116 ^b		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Planning and Analysis Contracts	82,410		82,410				
Payments to District Attorneys	681,102		681,102				
Payments to Coroners	32,175		32,175				
	<u>133,217,955</u>						

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b Of these amounts, an estimated \$3,392,531 shall be from sales revenues earned by Correctional Industries and an estimated \$427,887 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$2,010,232 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

Personal Services	1,116,234	1,116,234	
		(15.7 FTE)	
Operating Expenses	213,443	183,976	29,467 ^a
	<u>1,329,677</u>		

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

(2) Payments to House State Prisoners^{1, 2}

Payments to local jails at a rate of \$54.93 per inmate per day	13,413,234	13,413,234
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			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payments to in-state private prisons at a rate of \$57.37 per inmate per day	59,822,088		59,822,088				
Payments to pre-release parole revocation facilities at a rate of \$57.37 per inmate per day	10,765,790		10,765,790				
Inmate Education and Benefit Programs at In-state Private Prisons	541,566		541,566				
Inmate Education and Benefit Programs at Pre-release Parole Revocation Facilities	121,151		121,151				
	<u>84,663,829</u>						
(C) Inspector General Subprogram							
Personal Services	4,241,991		4,135,758		106,233 ^a		
			(48.2 FTE)				
Operating Expenses	428,873		345,686		83,187 ^a		
Inspector General Grants	<u>207,912</u>						207,912(I)
	4,878,776						
^a These amounts shall be from revenues earned from private prison out of state offender investigations.							
		224,090,237					
(2) INSTITUTIONS							
(A) Utilities Subprogram							
Personal Services	316,808		316,808				
			(2.6 FTE)				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Utilities	22,062,941		20,658,871		1,404,070 ^a		
	<u>22,379,749</u>						

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	20,104,479	
	(276.8 FTE)	
Operating Expenses	7,114,522	
Maintenance Pueblo Campus	<u>2,059,181</u>	
	29,278,182	29,278,182

(C) Housing and Security Subprogram

Personal Services ³	160,633,723	160,630,776	2,947 ^a
	162,729,713	162,726,766	
		(2,974.4 FTE)	
Operating Expenses	<u>1,848,941</u>	1,848,941	
	162,482,664		
	164,578,654		

^a This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S.

(D) Food Service Subprogram

Personal Services	18,237,231	18,237,231
		(317.8 FTE)
Operating Expenses	17,804,557	17,804,557
Food Service Pueblo Campus	<u>2,000,369</u>	2,000,369
	38,042,157	

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(E) Medical Services Subprogram							
Personal Services	38,313,287		38,074,904		238,383 ^a		
			(384.5 FTE)		(3.0 FTE)		
Operating Expenses	2,579,052		2,579,052				
Purchase of Pharmaceuticals	14,989,802		14,989,802				
Hepatitis C Treatment Costs	20,514,144		20,514,144				
Purchase of Medical Services from Other Medical Facilities	24,893,867		24,893,867				
Service Contracts	2,550,231		2,550,231				
Indirect Cost Assessment	<u>1,522</u>				1,522 ^a		
	103,841,905						
^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.							
(F) Laundry Subprogram							
Personal Services	2,398,955						
	(37.4 FTE)						
Operating Expenses	<u>2,197,545</u>						
	4,596,500		4,596,500				
(G) Superintendents Subprogram							
Personal Services	11,323,461						
	(156.9 FTE)						
Operating Expenses	5,202,001						
Dress Out	<u>735,433</u>						
	17,260,895		17,260,895				

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(H) Youthful Offender System Subprogram							
Personal Services	10,350,808						
	(160.7 FTE)						
Operating Expenses	604,705						
Contract Services	28,820						
Maintenance and Food Service	1,029,249						
	<u>12,013,582</u>		12,013,582				
(I) Case Management Subprogram							
Personal Services	17,363,426						
	(247.3 FTE)						
Operating Expenses	172,581						
Offender ID Program	341,135						
	<u>17,877,142</u>		17,877,142				
(J) Mental Health Subprogram							
Personal Services	10,746,173		10,746,173				
			(153.1 FTE)				
Operating Expenses	280,766		280,766				
Medical Contract Services	4,132,436		4,132,436				
	<u>15,159,375</u>						
(K) Inmate Pay Subprogram							
	2,347,885		2,347,885				
(L) Legal Access Subprogram							
Personal Services	1,414,108						
	(21.5 FTE)						
Operating Expenses	299,602						

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Contract Services	<u>70,905</u>						
	1,784,615		1,784,615				
(M) Capital Lease Purchase Payments	20,255,668		20,255,668 ^a				
		447,320,319					
		449,416,309					
(3) SUPPORT SERVICES							
(A) Business Operations Subprogram							
Personal Services	6,299,274		5,154,702		41,897 ^a	1,102,675 ^b	
			(89.8 FTE)			(10.0 FTE)	
Operating Expenses	<u>234,201</u>		234,201				
	6,533,475						
^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.							
^b Of this amount, \$1,033,010 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S. and \$69,665 shall be from statewide indirect cost recoveries.							
(B) Personnel Subprogram							
Personal Services	1,393,681						
	(18.7 FTE)						
Operating Expenses	<u>86,931</u>						
	1,480,612		1,480,612				

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Offender Services Subprogram							
Personal Services	3,097,919						
	(44.1 FTE)						
Operating Expenses	<u>62,044</u>						
	3,159,963		3,159,963				
(D) Communications Subprogram							
Operating Expenses	1,627,515		1,627,515				
Dispatch Services	<u>224,477</u>		224,477				
	1,851,992						
(E) Transportation Subprogram							
Personal Services	2,174,797		2,174,797				
			(35.9 FTE)				
Operating Expenses	433,538		433,538				
Vehicle Lease Payments	<u>3,588,635</u>		2,925,476		663,159 ^a		
	6,196,970						
^a Of this amount, an estimated \$613,721 shall be from sales revenues earned by Correctional Industries and an estimated \$49,438 shall be from sales revenues earned by the Canteen Operation.							
(F) Training Subprogram							
Personal Services	2,332,114						
	(33.0 FTE)						
Operating Expenses	<u>287,131</u>						
	2,619,245		2,619,245				
(G) Information Systems Subprogram							
Operating Expenses	1,391,217		1,391,217				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payments to OIT	23,104,765		22,970,438		134,327 ^a		
CORE Operations	<u>464,392</u>		409,594		26,470 ^a	28,328 ^b	
	24,960,374						

^a Of these amounts, an estimated \$141,180 shall be from Correctional Industries sales to non-state entities and an estimated \$19,617 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from Correctional Industries sales to other state agencies.

(H) Facility Services Subprogram

Personal Services	983,276		
	(9.7 FTE)		
Operating Expenses	<u>83,096</u>		
	1,066,372	1,066,372	
		47,869,003	

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,368,132		
	(88.7 FTE)		
Operating Expenses	<u>88,017</u>		
	5,456,149	5,456,149	

(B) Education Subprogram

Personal Services	13,633,002	13,633,002		
		(193.1 FTE)		
Operating Expenses	4,521,163	2,816,746	1,293,402 ^a	411,015 ^b
Contract Services	237,128	237,128		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Education Grants	80,060				10,000 ^c	42,410 ^d (2.0 FTE)	27,650(I)
	<u>18,471,353</u>						

^a Of this amount, an estimated \$735,467 shall be from sales revenues earned by vocational programs and an estimated \$557,935 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

(C) Recreation Subprogram

Personal Services	6,882,514		6,882,514 (116.7 FTE)	
Operating Expenses	<u>71,232</u>			71,232 ^a
	6,953,746			

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,424,050		5,424,050 (85.4 FTE)	
Operating Expenses	110,932		110,932	
Services for Substance Abuse and Co-occurring Disorders	1,027,121			1,027,121 ^a
Contract Services	2,487,199		2,125,947	361,252 ^a
Treatment Grants	<u>126,682</u>			126,682 ^b
	9,175,984			

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

^a These amounts shall be transferred from the Judicial Department from the Offender Treatment and Services line item appropriation in the Probation and Related Services section.

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(E) Sex Offender Treatment Subprogram

Personal Services	3,110,435		3,079,201 (54.8 FTE)		31,234 ^a (1.0 FTE)		
Operating Expenses	92,276		91,776		500 ^a		
Polygraph Testing	242,500		242,500				
Sex Offender Treatment Grants	<u>65,597</u>						65,597(I)
	3,510,808						

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services	434,252 (8.0 FTE)						
Operating Expenses	<u>17,912</u>						
	452,164		452,164				
		44,020,204					

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	17,889,390		17,889,390 (292.2 FTE)				
Operating Expenses	2,610,840		2,610,840				
Parolee Supervision and Support Services	9,094,909		6,906,784			2,188,125 ^a	

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Wrap-Around Services Program	1,878,604		1,878,604				
Grants to Community-based Organizations for Parolee Support	<u>1,733,971</u>		1,733,971				
	33,207,714						

^a This amount shall be transferred from the Judicial Department from the Offender Treatment and Services line item appropriation in the Probation and Related Services section. This amount includes \$2,163,125 from the Correctional Treatment Cash Fund and \$25,000 from the General Fund for the provision of day reporting services.

(B) Community Supervision Subprogram

(1) Community Supervision

Personal Services	6,093,776		6,093,776				
			(83.8 FTE)				
Operating Expenses	632,650		632,650				
Psychotropic Medication	131,400		131,400				
Community Supervision Support Services	<u>3,933,598</u>		3,901,123			32,475 ^a	
	10,791,424						

^a This amount shall be transferred from the Department of Public Safety from the Division of Criminal Justice. These amounts originate as federal funds.

(2) Youthful Offender System Aftercare

Personal Services	532,124						
	(8.0 FTE)						
Operating Expenses	141,067						
Contract Services	<u>1,022,396</u>						
	1,695,587		1,695,587				

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Community Re-entry Subprogram							
Personal Services	2,437,735		2,437,735				
			(41.6 FTE)				
Operating Expenses	146,202		146,202				
Offender Emergency Assistance	96,768		96,768				
Contract Services	190,000		190,000				
Offender Re-employment Center	374,000		364,000		10,000 ^a		
Community Reintegration Grants	39,098						39,098(I)
	<u>3,283,803</u>						(1.0 FTE)
^a This amount shall be from gifts, grants, and donations.							
		48,978,528					
(6) PAROLE BOARD							
Personal Services	1,401,775						
	(17.5 FTE)						
Operating Expenses	106,390						
Contract Services	<u>272,437</u>						
		1,780,602	1,780,602				
(7) CORRECTIONAL INDUSTRIES							
Personal Services	10,801,161				3,630,158 ^a	7,171,003 ^b	
					(42.8 FTE)	(112.2 FTE)	
Operating Expenses	6,689,926				1,817,327 ^a	4,872,599 ^b	

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Raw Materials	38,878,810				8,441,080 ^a	30,437,730 ^b	
Inmate Pay	2,592,992				955,343 ^a	1,637,649 ^b	
Capital Outlay	1,406,200				337,094 ^a	1,069,106 ^b	
Correctional Industries Grants	2,500,000						2,500,000(I)
Indirect Cost Assessment	<u>1,019,890</u>				135,538 ^a	293,542 ^b	590,810(I)
		63,888,979					

^a Of these amounts, an estimated \$15,166,540 is from sales to non-state entities and an estimated \$150,000 is from rents and royalties earned on Penitentiary Trust land managed by the State Board of Land Commissioners pursuant to Section 36-1-116 (2), C.R.S.

^b Of these amounts, an estimated \$35,631,415 is from sales to other state agencies and an estimated \$9,850,214 is from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	2,118,188						
	(28.0 FTE)						
Operating Expenses	12,851,987						
Inmate Pay	73,626						
Indirect Cost Assessment	<u>81,265</u>						
		15,125,066			15,125,066(I) ^a		

^a This amount shall be from sales revenues earned by the Canteen Operation and is continuously appropriated to the division pursuant to Section 17-24-126 (1), C.R.S.

TOTALS PART II (CORRECTIONS)

\$893,072,938	\$800,096,300^a	\$38,410,054^b	\$51,050,517	\$3,516,067^c
<u>\$895,168,928</u>	<u>\$802,192,290^a</u>			

^a Of this amount \$20,255,668 is excluded from the calculation of the required General Fund reserve, pursuant to Section 24-75-201.1 (2)(b), C.R.S.

^b Of this amount, \$15,125,066 contains an (I) notation.

^c This amount contains an (I) notation.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 1 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails and private prison providers.
- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the General Assembly's intent that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities because appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.
- 3 Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services -- The amount appropriated in this line item does not include the \$10,673,375 of FY 2018-19 General Fund appropriations for the Department of Corrections set forth in sections 111 and 114 through 123 of Title 17, Article 18, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 2. Appropriation to the department of corrections for the fiscal year beginning July 1, 2017. In Session Laws of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part II (2)(E) and the affected totals, as the totals are amended by section 1 of chapter 411, (HB 18-1158), Session Laws of Colorado 2018, as follows:

Section 2. Appropriation.

**PART II
DEPARTMENT OF CORRECTIONS**

(2) INSTITUTIONS

(E) Medical Services Subprogram

Personal Services	32,101,298	31,862,915 (384.5 FTE)	238,383 ^a (3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
Purchase of Pharmaceuticals	18,612,321	18,612,321	
	19,190,362	19,190,362	
Purchase of Medical Services from Other Medical Facilities	25,698,644	25,698,644	
Service Contracts	2,524,981	2,524,981	
Indirect Cost Assessment	730		730 ^a
	<u>81,517,026</u>		
	82,095,067		

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

TOTALS PART II

(CORRECTIONS)

\$870,884,685	\$775,914,327^a	\$39,182,940 ^b	\$51,620,128	\$4,167,290 ^c
<u>\$871,462,726</u>	<u>\$776,492,368^a</u>			


^a Of this amount \$20,256,546 is excluded from the calculation of the required General Fund reserve, pursuant to Section 24-75-201.1 (2)(b), C.R.S.


^b Of this amount, \$15,032,522 contains an (I) notation.


^c This amount contains an (I) notation.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

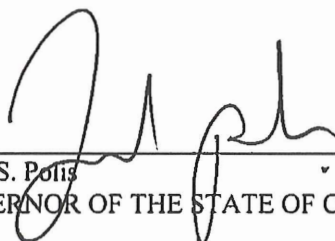

Leroy M. Garcia
PRESIDENT OF
THE SENATE


KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES


Cindi L. Markwell
SECRETARY OF
THE SENATE


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED 3/14/19 3:10 pm
(Date and Time)


Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO